

HON'BLE SRI JUSTICE A. SHANKAR NARAYANA

CRIMINAL PETITION No.1706 OF 2017

ORDER:

The present Criminal Petition, under Section 482 of the Code of Criminal Procedure, 1973, is filed requesting to quash the proceedings in C.C.No.507 of 2016 on the file of VI Additional Judicial Magistrate of First Class, Guntur.

2. The petitioners, who are arraigned as accused Nos.1 to 4 in the aforesaid Calendar Case, alleged to have committed the offences punishable under Sections 498-A and 506 I.P.C. and Sections 3 and 4 of Dowry Prohibition Act.

3. Heard Smt. T. Dhana Lakshmi, learned counsel for the petitioners, and learned Additional Public Prosecutor for the State of Andhra Pradesh.

4. Though, learned counsel for the petitioners would submit that so far as the petitioners are concerned, there is no material on record to show that they have committed the offences alleged and tried to make out some case in favour of the petitioners, but, certainly, she is unsuccessful, in view of the fact that the averments in the complaint would show the acts constituting harassment said to have meted out to respondent No.2 - *de facto* complainant. Therefore, it is not a fit case to treat that prosecution of the petitioners would amount to abuse of process of law.

5. Learned counsel for the petitioners would request, atleast, to dispense with the presence of petitioner Nos.2 and 4 - accused Nos.2 and 4, who are the sister-in-law and sister of petitioner No.1 - accused No.1, before the trial Court, as it would cause inconvenience to them to attend the Court, since, they are married women.

6. The request appears to be reasonable. Hence, the presence of petitioner Nos.2 and 4 i.e., accused Nos.2 and 4 before the trial Court is dispensed with, but, however, they are directed to appear as and when the Court takes up examination under Section 239 Cr.P.C., when it frames charges and when the case reaches the stage of examination under Section 313 Cr.P.C. and also whenever the learned Magistrate directs them to appear, if necessary.

7. With the above directions, the Criminal Petition is dismissed. Miscellaneous Petitions, if any, pending in this Criminal Petition, shall stand closed.

A. SHANKAR NARAYANA, J

March 07, 2017.
MD